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30 JAN 2008

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In re Application of VAN ZUNDERT et al
U.S. Application No.: 10/534,318
PCT Application No.: PCT/IB2003/050015
Int. Filing Date: 06 November 2003
Priority Date Claimed: 11 November 2002
Attorney Docket No.: NL 021105
For: CIRCUIT ARRANGEMENT FOR
OPERATING A HIGH PRESSURE
DISCHARGE LAMP

DECISION

This is in response to applicant's "Petition Under 37 CFR §1.182" filed 23 January 2008.

BACKGROUND

On 06 November 2003, applicant filed international application PCT/IB2003/050015, which claimed priority of an earlier European Patent Office application filed 11 November 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 27 May 2004. The thirty-month period for paying the basic national fee in the United States expired on 11 May 2005.

On 09 May 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 14 February 2006, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

On 23 January 2008, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

A review of the application papers filed 09 May 2005 reveals that the incorrect international application number was listed on the Transmittal Letter (Form PTO-1390). The

petition states that the correct international application number should be PCT/IB2003/050015. The content of international application number PCT/IB2003/050015 is consistent with the title, international filing date, priority date, and name of applicants identified on the Transmittal Letter, declaration, and preliminary amendment filed with the national stage papers on 09 March 2005. Applicant's explanation for the error is accepted. A copy of the application papers and a copy of the certified priority document for international application PCT/IB2003/050015 will be placed in the present application file.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The Notice of Acceptance of Application under 35 U.S.C. 371 (Form PCT/EO/EO/903) mailed 14 February 2006 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 06 November 2003, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 09 May 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a corrected Notice of Acceptance of Application under 35 U.S.C. 371 (Form PCT/EO/EO/903), which should list the international application number as "PCT/IB03/50015".

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